

ESTTA Tracking number: **ESTTA239171**

Filing date: **09/26/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91178927
Party	Plaintiff Royal Crown Company, Inc.
Correspondence Address	Barbara A. Solomon Fross Zelnick Lehrman & Zissu, P.C. 866 United Nations Plaza New York, NY 10017 UNITED STATES lpopp-rosenberg@fzlz.com,bsolomon@fzlz.com
Submission	Other Motions/Papers
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Signature	/Laura Popp-Rosenberg/
Date	09/26/2008
Attachments	9-26 Communication to the Board concerning new opposition (F0352728).PDF (3 pages)(61190 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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ROYAL CROWN COMPANY, INC.,	:	
	:	<u>Consolidated Proceedings:</u>
Opposer,	:	Opposition No. 91178927
	:	Opposition No. 91180771
- against -	:	Opposition No. 91180772
	:	Opposition No. 91183482
THE COCA-COLA COMPANY,	:	
	:	
Applicant.	:	
-----X		

COMMUNICATION TO THE BOARD REGARDING NEWLY FILED OPPOSITION

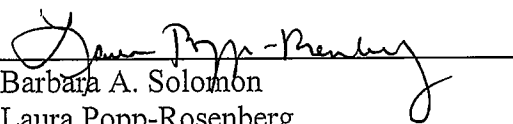
The Board's Order dated February 29, 2008 directed the parties to inform the Board of "any subsequent proceedings involving the parties and related marks." Opposer Royal Crown Company, Inc. therefore informs the Board that on September 24, 2008, Opposer filed a Consolidated Notice of Opposition against the following applications owned by applicant The Coca-Cola Company:

Application Serial No.	Mark
77/257,653	VANILLA COCA-COLA ZERO
78/620,677	FANTA ZERO
77/309,752	POWERADE ZERO

Because each of these applications concerns a mark including the term "zero," Opposer believes the marks to be "related" within the meaning of the Board's February 29 Order.

Dated: New York, New York
September 26, 2008

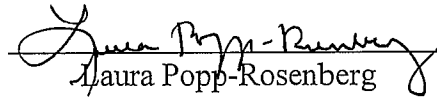
FROSS ZELNICK LEHRMAN & ZISSU, P.C.

By: 
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Laura Popp-Rosenberg
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Attorneys for Opposer Royal Crown Company, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I have caused a true and correct copy of **COMMUNICATION TO THE BOARD REGARDING NEWLY FILED OPPOSITION** to be deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to counsel for Applicant, Bruce Baber, Esq., King & Spalding LLP, 1185 Avenue of the Americas, New York, NY 10036-4003, this 26th day of September, 2008.


Laura Popp-Rosenberg